MANITOBA

LAW REFORM COMMISSION

COMMISSION DE RÉFORME DU DROIT

# REPORT

# ON THE

# ABOLITION OF INTER-SPOUSAL IMMUNITY IN TORT

Report #10

December 19, 1972

The Manitoba Law Reform Commission was established by *"The Law Reform Commission Act"* in 1970 and began functioning in 1971.

The Commissioners are:

Francis C. Muldoon, Q.C., *Chairman*
R. Dale Gibson
C. Myrna Bowman
Robert G. Smethhurst, Q.C.
Val Werier
Sybil Shack
Kenneth R. Hanly

Professor John M. Sharp is Chief Research Officer to the Commission. The Secretary of the Commission is Miss Suzanne Pelletier.

The Commission offices are located at 331 Law Courts Building, Winnipeg, Manitoba R3C 0V8.

The subject of this report is inter-spousal immunity in tort.

The existing law of Manitoba in certain situations, can generate results which are both unjust and bizarre.

If a man, driving an automobile with his wife as a passenger, is guilty of gross negligence, with the result that a collision occurs in which his wife is injured, he cannot be held legally liable to compensate the wife for her injuries. This means that his insurance company would not be required to pay for her injuries either, except to the extent of his "no-fault" insurance coverage.

The principle of spousal immunity which leads to this result is one that applies to all types of tortious liability. It is available to both husband and wife, and is even applicable where the spouses are living apart (except under a judicial separation). It means, therefore, that a husband who has been separated from his wife pursuant to a separation agreement viciously attacks her and causes her serious physical injuries, will be under no legal obligation to compensate her. (He could be prosecuted criminally, but that would not be of any material assistance to her.) Similarly, a wife who maliciously defames her husband, causing irreparable harm to his personal and employment reputation, is immune from any action for damages by the husband.

Inexplicably, spousal immunity does not apply to contract actions or litigation arising from damage to property interests. So if the husband broke the wife's glasses or tore her clothing while beating her up, she could sue for those losses.

Historically, spousal immunity was based on the fictitious notion that husband and wife are one, a concept involving the husband's almost total dominion over his wife and all of her possessions. Nowadays, this fiction has been rejected, and replaced for most legal purposes by the notion of equality of the sexes. Spousal immunity for non-property claims in tort is one relic of the past that has not yet been abandoned, however; it is preserved by Section 7(2) of *"The Married Women's Property Act"* (R.S.M. 1970, Cap. M70). A brief explanation of the current law of spousal immunity, from Fleming, *Law of Torts*[1] is highly instructive.

What is the rationale for retaining spousal immunity in this area after its historical basis has disappeared? A useful treatment of this matter appears in a note in (1966) 79 *Harvard Law Review*[2] which examines the question at great length. The chief reasons seem to be:

(a) fear that inter-spousal litigation will disrupt domestic harmony; and

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1 4th edition (1971) pages 592-596.

2 "Litigation Between Husband & Wife", page 1650.

(b) fear that where insurance is involved, the insured spouse might fraudulently admit to liability in order to enable his injured spouse to recover from the insurance company.

The concern for domestic harmony would appear to be misplaced. The very fact that one spouse wants to sue the other is strong evidence, in all cases except where insurance is involved, that there is little domestic harmony left to preserve. Indeed, in many cases to which the immunity rule applies, the parties are irreconcilably separated. Even where the parties are still living together, the frustrated desire by one party to take the other to court is likely to cause as much conjugal rancor as outright litigation would. Why is it that a tort action for personal injuries is thought to be more productive of domestic disharmony than a contract action, or a tort action for property damage, both of which are permitted? And why, we wonder, are actions between parents and children allowed if there be so much concern about domestic harmony? It is evident, of course, that one cannot divorce a child, and children remain one's own offspring even when living away from home. However, in the one category of case where harmonious spouses may wish to sue each other — where liability insurance is available to cover the losses of the injured spouse — there is very little likelihood that the litigation would damage the relations between husband and wife.

It is in the insurance situation that the most plausible rationale for spousal immunity arises: the fear of collusion. There can be no doubt that situations could arise in which a husband who drove a car in which the wife was injured, would be tempted to lie about the degree of his own fault in order to improve his wife's chances of succeeding in a claim against his insurance company. It should be emphasized, however, that such circumstances would be relatively rare, since they would only occur where the spouse was (1) insured, (2) not legally liable, (3) dishonest, (4) undeterred by the fear of criminal prosecution for the tort or for perjury, and (5) where there is no other tortfeasor upon whom the full blame could be placed. We think it is not justifiable to exclude all inter-spousal tort liability in order to protect against the risk of collusion in this very small percentage of cases. It should also be noted that there are many other potential collusion situations to which no similar immunity attaches: actions by fiancees and close friends, actions by children, and even actions by spouses if property damage is involved. Why should inter-spousal tortious injury cases be singled out for special immunity? In all other areas of law the normal techniques for detecting and punishing fraudulent litigation practices have proved to be effective, and there is no logical reason why personal injury claims arising from inter-spousal litigation require special additional safeguards, particularly when the safeguards frustrate so many meritorious claims.

The Commission placed display advertisements in a number of daily and weekly newspapers circulating in Manitoba in order to provide an opportunity for public response to the proposition for abolishing this

immunity. A sample copy of the advertisement published in April 1971 appears as Appendix "A" to this Report. The response from the public was negligible. One member of the legal profession did reply, agreeing generally with abolishing such immunity for most areas of tort, but questioning its advisability in negligence actions arising out of the use or ownership of real property or in cases in which insurance is customarily available and taken.

The Commission also sought opinions from the local Insurance Law Subsection of the Canadian Bar Association, the Insurance Bureau of Canada and the Manitoba Public Insurance Corporation.

The Bar Association Subsection reported no objection to the proposition by any of its members. That stand was taken at its meeting of March 23rd, 1972.

Mr. E.H.S. Piper, Q.C., General Counsel to the Insurance Bureau of Canada wrote to the Commission to say:

> "A similar enquiry was addressed to us by the Law Reform Commission of Ontario and, in a report on Torts and Family Law, they dealt with this subject.
>
> We were invited to express our views as to what effect elimination of inter-spousal immunity would have and, to the best of our knowledge, it would have little, if any, effect on the cost of any form of liability insurance. The Ontario study did obtain some figures from Britain, Australia and New Zealand, which similarly indicated that exposing a spouse to liability in damages for loss or injury suffered by the other spouse would not have any substantial effect on insurance costs."

Members of the Commission engaged in correspondence and two meetings on October 5th and November 13th with the management members of The Manitoba Public Insurance Corporation concerning this subject. Following these events the Honourable Howard Pawley, Chairman of the M.P.I.C. wrote to the Commission to say:

> Although I do not oppose the principle of abolishing the existing immunity in Manitoba law, there are some very important aspects to consider in the potential added cost this may impose on the Automobile Insurance rates in the Province. The officials in The Manitoba Public Insurance Corporation also raise the possibliity that such an amendment in the law, and in the conditions of the Automobile Insurance Act, may create some serious technical problems in the adjusting of claims.
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> Nevertheless, it is agreed that:
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> 1. We will not oppose the proposed amendment in the general law.
> 2. Appropriate amendments in the Automobile Insurance Act will be introduced, with the understanding that these

amendments will not be proclaimed until the Corporation has sufficient statistical information to assess the added cost to the Motoring public of Manitoba.

3. Ultimately it is our objective to extend the "No-Fault" principle of the Automobile Insurance Act to the extent that the Tort Liability System and the abolition of the Inter-Spousal Immunity will be of no significance.

The decision to extend "no-fault" coverage to all automobile accident claims is a matter of government policy on which it is not the Commission's role to comment. Nevertheless, we welcome the willingness of the government and the Corporation to render the tort liability method of recovering automobile accident compensation more just while it endures, that is, until it is phased out and replaced by the "no-fault" concept.

Although our proposals for reform have wider scope than automobile insurance, the most noticeable and important ramification of our suggested reform would occur in the area of automobile insurance, because of the social and economic pre-eminence of the motor vehicle in modern life. Unless the tort concept were to be eradicated in automobile insurance virtually over-night, then while it is in force, we are pleased to learn, the M.P.I.C. will not be averse to making it perform more justly in regard to spousal claims.

Recognizing the anachronistic nature and harmful consequences of spousal immunity, several common law jurisdictions have already abolished it, and others appear close to doing so. Eire abolished the immunity as long ago as 1957[3] for all purposes. New South Wales and South Australia have abolished the immunity for motor vehicle accident claims. The United Kingdom, followed by New Zealand, Tasmania and Queensland have done so for all tort claims, subject only to a safeguard against frivolous actions. An extract from the British statute is appended as Appendix "B".

In the course of our research we contacted numerous knowledgeable persons in the United Kindon to gain some insight into the ramifications of their abolition of this immunity in regard to automobile claims. In particular, we asked about the matter of costs relative to insurance premiums, and whether collusion for fraudulent recoveries of damages were a significant factor. A list of those persons, firms and corporations who responded to our questions is annexed as Appendix "C".

Two responses were quite typical of the many. Sun Alliance & London Insurance Group indicated:

> Our experience does not lead us to believe that the abolition of inter-spousal immunity in tort actions leads to any significant increase in collusion or fraud. Indeed, we cannot readily recall any

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3 *Married Women's Status Act, 1957,* Eire.

case of fraud which could have been avoided if the law had not been changed in 1962.

. . .

To sum up, increased risk obviously means increased premiums but the 1962 legislation was merely one of several factors to be taken into account in rating at that time.

The reply of Co-operative Insurance Society Limited was, in part, as follows:

Under the new law, of course, the injured spouse has two targets in a collision case, viz., the other spouse and the driver of the colliding car, and again an innocent spouse riding as a passenger should have no difficulty in recovering full compensation.

You will probably understand that we have not attempted to keep any record of the extent to which our outlays have been increased by the Act of 1962. We rarely bother to keep records of this kind because it is not particularly profitable to know how much the new law has cost us. The point is, of course, that the law has been changed and we have to pay damages in accordance with the changed law, and it does not really help us very much to know how much we would have saved if the law had not been passed. In any case, as you will appreciate, it is many years before any sensible figures could be compiled on a subject like this and by that time any relevance a figure would have had would have disappeared.

I think, however, that it is fair to say that the cost to the motor insurance market has been of a very minor order. We do receive claims now where we would not have received them before, e.g., where, say a husband injures his wife through negligently driving into a wall, but they have certainly been few in number and I should imagine that any extra payments we have made would not increase our total payments on third party account by more than the odd 1% or so. Of course, if the few additional claims arising happened to be serious ones the cost would be slightly larger than this, but taking the industry as a whole the total extra cost would not be significant. It would certainly not be enough to justify an increase in motor insurance premiums on its own account; all that would happen in circumstances like this is that in fixing our premiums for the future (which would probably be going up anyway) we would bear in mind that certain additional payments would be probable from this cause. This might mean only, however, that one would call for a slightly higher increase than would otherwise have been necessary and one would never know whether the amount was adequate or not because the effect would be merged with the other premium increases over the next few years and it would be lost in the passage of time.

There was one salient difference, it must be noted, between the English law and Manitoba law provisions preceding the 1962 reform in England and up to the present in Manitoba. In England prior to the reform, any minimal negligence assessed against the driver of the other, or another, vehicle involved in the accident rendered that driver (and his insurer) initially liable to pay the whole award — with a right of recovery over against the driver-spouse's insurer. So the reform mostly affected claims arising out of single vehicle accidents. (England is a jurisdiction, by the way, which does not invoke the "guest-passenger/gross-negligence" concept.) By Section 6 of *"The Tortfeasors and Contributory Negligence Act"*, Cap. T90, where the spouse is negligent, no damages, contribution, or indemnity is recoverable for the portion of the loss or damage caused by the spouse's negligence. If one adds to the potential liability without commensurately increasing the number of premium payers, one must foresee some increase in individual premiums. That increase, if any, will be the true index of the present failure of justice in this regard and should be considered as a reasonable social cost to the motoring public.

The Ontario Law Reform Commission has recommended, on the basis of a quite thorough study *(Report on Family Law — Part I — Torts)*, that all spousal immunity be abolished, without retaining even the British proviso respecting frivolous matters. It is submitted that Manitoba should adopt the solution proposed by the Ontario Law Reform Commission.

A word should be said about the British proviso. As can be seen from the passage from the British statute, the court may stay an inter-spousal action if satisfied that "no substantial benefit would accrue to either party, from the continuation of the proceedings." Experience in Great Britain since this Act was passed in 1962 indicates that this was an unnecessary protection. According to the Ontario Law Reform Commission Report, p. 57, the statistics concerning inter-spousal tort claims since 1962 are:

| Year | Actions in Tort between spouses | Actions stayed under s. 1(2) of the 1962 Act |
|---|---|---|
| 1962 | 9 | — |
| 1963 | 8 | 4 |
| 1964 | 6 | 1 |
| 1965 | 12 | 1 |
| 1966 | 19 | — |
| 1967 | 20 | — |

In any event, there are already satisfactory procedures in the general law for discouraging frivolous litigation. For these reasons, the Ontario Law Reform Commission concluded that a proviso similar to that enacted in Britain is not desirable. It is submitted that in Manitoba the abolition of spousal immunity in tort should not be restricted by any provisos.

We were also concerned about the impediment to compensation which is a feature of *"The Criminal Injuries Compensation Act"*, Cap. 305 of the Continuing Consolidation of the Statutes of Manitoba. Section 6 provides:

6(2) Except as may be otherwise permitted by this Act, the board shall not make an order for compensation

(c) where the injury or death of a person in respect of which compensation is claimed resulted from an act or omission of a member of the person's family including a common-law wife.

This exclusion seems to be too sweeping. It was never expressed in the Alberta legislation. It has been modified elsewhere. The previous Ontario statute in this field, known as *"The Law Enforcement Compensation Act, 1967"*, did contain a clause prohibiting the award of compensation for Pain and Suffering only to any relative of the offender or a member of the offender's household. Such a clause does not appear in the present Ontario statute *"The Compensation for Victims of Crime Act"*, 1971, which became effective on September 1st, 1971. The removal of the prohibition respecting the members of the family effectively leaves it to the Board to consider all the circumstances and govern its decision according to its notions of justice. The Attorney-General of Ontario, the Honourable Dalton Bales kindly responded to our questions on this subject and said, in part:

> "I believe that this was the intention and that the discretion of the Board is broad enough to deal with the matter without statutory provisions."

Whether or not this matter should be left to the Board in Manitoba without specific statutory guidelines, it is clear that the restrictive object of the law should be no wider than precluding the offender from benefiting from his own wrong-doing. Our recommendation in this regard would delete all reference to spouse, common-law wife or family as classes of persons who inflict injury which bars compensation; but it would provide that the Board shall not make an order for compensation where it finds joint criminal venture, collusion or that the criminal would benefit directly from any compensation which might otherwise have been ordered. That sort of direct benefit would arise when the injured spouse continues to live with, and is entitled to be supported by, the offender. In such circumstances the state ought not to subsidize the offender for the consequence of his own criminal conduct.[4] In such circumstances, however, he should be personally liable to suit at the instance of option of the injured spouse. However, when spouses are living separately, whether by private agreement or with the interposition of a court order or upon the initiative of only one of the spouses, the mere fact of their being married ought not to preclude the victim from compensation. So also compensation ought to be awardable in cases, such as attempted murder, where it is apparent that the marital bond is virtually severed by the offence itself. The question of provocation on the part of the

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[4] A similar provision, in relation to tort, is stated in Section 5(1) of *"The Fatal Accidents Act"*, Cap. F50, C.C.S.M., on the ancient and sensible principle that one ought not to be entitled to a benefit or profit from one's own wrong doing.

victim can be resolved by the Board under section 11(1) of the Act which requires it to "consider and take into account the character of the applicant and any behaviour that directly or indirectly contributed to the injury or death of the victim".

Whether the Board be bound by new specific provisions, or it be permitted to make awards within the guidelines of a newly stated principle, we recommend that clause (c) of section 6(2) of the Act be repealed to avoid the sweeping prohibition of compensation for the injury or death of a person resulting "from an act or omission of a member of the person's family, including a common-law wife". This provision is a rather blunt instrument. We believe that a better honed provision would produce just awards where none can now be made. The principle surely ought merely to be that the Board will not make an award by which the offender himself will obtain a direct benefit.

We are obliged not only to the Hon. Dalton Bales, Q.C. for his kind and cogent response, but also to Mr. Arthur A. Wishart, Q.C., Chairman of the Ontario Criminal Injuries Compensation Board, and to Mr. W.J. Johnston, Q.C., Chairman of The Crimes Compensation Board of Manitoba, who engaged in correspondence with us.

The matter of spouses in relation to criminal injuries compensation legislation is not strictly squarely within the topic of inter-spousal immunity in tort. We think it reasonable, however, to deal with that subject in this Report, because it seems to be part and parcel of that old, bizarre fiction whereby the law turned a blind eye to whatever wrongs one spouse inflicted on the other. We think the crimes compensation subject ought properly to be examined as part and parcel of the reforms we recommend to abolish inter-spousal immunity in tort.

What legislative steps would be necessary to accomplish this reform in Manitoba? Fundamentally, all that would be required would be the repeal of Section 7(2) of *"The Married Women's Property Act"*, and its replacement by a section stating that husband and wife may sue each other in tort whether or not property interests are involved. To ensure that the reform had the desired effect, certain other legislative changes would also be necessary, however.

Where more than one person is responsible for a particular tort, as where the negligence of two drivers combines to bring about an automobile accident, the normal rule is that the injured party may seek compensation from either or both of the tortfeasors, regardless of their respective degrees of fault. After the injured party has been compensated in full, the wrongdoers have the right to seek contribution from each other in accordance with their proportional share of responsibility. An exception to that principle is to be found in Section 6 of *"The Tortfeasors and Contributory Negligence Act"* (R.S.M. 1970, Cap. T90):

> **"Where Plaintiff is spouse of negligent person.**
>
> 6. In any action founded upon negligence and brought for loss or damage resulting from bodily injury to, or the death of, any married person where one of the persons found to be negligent is

the spouse of that married person, no damages, contributions, or indemnity, is recoverable for the portion of loss or damage caused by the negligence of that spouse; and the portion of the loss or damage so caused by the negligence of the spouse shall be determined although the spouse is not a party to the action."

The purpose of this exception is to ensure that the rule of spousal immunity cannot be circumvented where a second tortfeasor is involved by having the injured spouse sue the other party for the full claim, and then having the other party seek contribution from the wrong-doing spouse. If spousal immunity were abolished, this section would serve no useful purpose, and should also be repealed.

Even more important is Section 245(b) (i) of *"The Insurance Act"* (R.S.M. 1970, Cap. I40), which states that automobile liability insurance policies shall not render the insurers liable to pay compensation for bodily injury to or death of: "the daughter, son, wife or husband of any person insured by the contract while being carried in or upon or entering or getting on to or alighting from the automobile." To leave this provision intact after abolishing spousal immunity would leave one of the most significant sources of spousal litigation unaltered in a practical sense. There is no point reforming the law of spousal immunity in automobile accident cases if the effect of the change is nullified by *"The Insurance Act"*. The Ontario Law Reform Commission recognized this fact, and proposed that the equivalent section in the Ontario insurance legislation be repealed. Such a change would go somewhat beyond the realm of spousal immunity, since it would also wipe out the exclusion of children from coverage, but there seems no reason to treat children differently from spouses.

It would not be sufficient merely to repeal Section 245(b) (i) of *"The Insurance Act"*, however, because it does not apply[5] to The Manitoba Public Insurance Corporation or to the universal compulsory auto insurance provided by the Corporation; and because a similar exemption has recently been written into *Manitoba Regulation 120/71* made pursuant to Section 29(1) of *"The Automobile Insurance Act"* (S.M. 1970, Cap. 102) being Cap. A180 of the continuing consolidation of the Statutes of Manitoba. Part IV of that Regulation, relating to public liability and property damage, provides:

66.(2) The Corporation shall not pay insurance moneys under this part:

(f) for loss or damage resulting from bodily injury to or the death of the son, daughter or spouse of an insured while an occupant of his insured vehicle;

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[5] Section 26 of *"The Automobile Insurance Act"* S.M. 1970, Cap. 102

For the same reasons that we recommend repeal of Section 245(b) (i) of *"The Insurance Act"*, we also recommend repeal of item (f) of subsection (2) of Section 66 of *Manitoba Regulation 120/71*.

But again it would not be sufficient merely to repeal Section 245(b) (i) of the insurance statute and Section 66(2) (f) of the Regulation, because insurers, or **the** universal insurer, could simply write a similar exemption into their coverage provisions. It would also be necessary, as the Ontario Law Reform Commission recommends, to enact a statutory provision declaring that family members shall not be excluded from insurance coverage.

Lastly, in relation to the spousal and family prohibitions in relation to crimes compensation, section 6(2) (c) of *"The Criminal Injuries Compensation Act"* ought to be altered so as to avoid the sweeping exclusion of spouses and family members as a class.

We therefore recommend, in summary that:

1. Section 7(2) of *"The Married Women's Property Act"* should be repealed.

2. A provision should be inserted into the said Act, stipulating that spouses are fully liable to each other in tort, whether or not property is involved.

3. Section 6 of *"The Tortfeasors and Contributory Negligence Act"* should be repealed.

4. Section 245(b) (i) of *"The Insurance Act"* should be repealed.

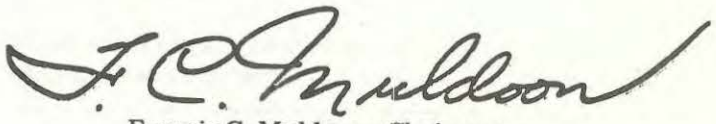
5. Section 66(2) (f) of *Manitoba Regulation 120/71* should be repealed.

6. A provision should be inserted into *"The Insurance Act"* (so long as Part VII thereof remains unrepealed) and into *"The Automobile Insurance Act"* prohibiting the exemption from liability, under policies or coverages of public liability, for personal injuries to members of the insured's family.

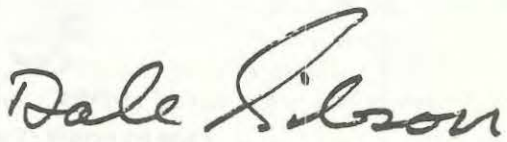
7. Section 6(2) (c) of *"The Criminal Injuries Compensation Act"* should be repealed and replaced with a provision prohibiting the Board from making an order for compensation only where it finds that there has been collusion or joint criminal venture or that the offender would benefit directly from the compensation given as a result of his own wrong-doing.

This is our Report pursuant to Section 5(2) of *"The Law Reform Commission Act"*.

Dated this 19th day of December, 1972.



Francis C. Muldoon, Chairman



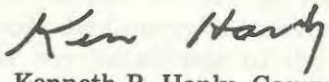
R. Dale Gibson, Commissioner

C. Myrna Bowman, Commissioner

Robert G. Smethurst, Commissioner

Val Werier, Commissioner

Sybil Shack, Commissioner



Kenneth R. Hanly, Commissioner

## APPENDIX "A"

MANITOBA

**LAW REFORM COMMISSION**

**COMMISSION DE RÉFORME DU DROIT**

## INVITES YOUR OPINION

The Commission is studying the question of reform of the law of inter-spousal immunity.

"Inter-spousal immunity" refers to the proposition of law that no husband or wife is entitled to sue the other for tort (a "wrong" such as negligence, fraud, defamation) except for the protection and security of his or her property, or except while living apart under a decree or order of judicial separation for a tort committed during the separation.

This immunity from suit by one's spouse has been abolished in Eire since 1957, in England since 1962, in New Zealand since 1963, and, the Australian states of New South Wales and South Australia have wiped out the immunity at least in relation to vehicle accidents.

The Commission will be pleased to have written opinions on this subject in brief, letter or any legible form, before May 17th, next.

Francis C. Muldoon, Q.C.
Chairman
Law Reform Commission
331 Law Courts Building
Winnipeg 1, Manitoba

## APPENDIX "B"

## STATUTES OF GREAT BRITAIN, 1962

### CHAPTER 48

An Act to amend the law with respect to civil proceedings between husband and wife.

[1st August, 1962]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Actions in tort between husband and wife.

1. (1) Subject to the provisions of this section, each of the parties to a marriage shall have the like right of action in tort against the other as if they were not married.

(2) Where an action in tort is brought by one of the parties to a marriage against the other during the subsistence of the marriage, the court may stay the action if it appears —

(a) that no substantial benefit would accrue to either party from the continuation of the proceedings; or

45 & 46 Vict. c. 75.

(b) that the question or questions in issue could more conveniently be disposed of on an application made under section seventeen of the Married Women's Property Act, 1882 (determination of questions between husband and wife as to the title to or possession of property);

and without prejudice to paragraph (b) of this subsection the court may, in such an action, either exercise any power which could be exercised on an application under the said section seventeen, or give such directions as it thinks fit for the disposal under that section of any question arising in the proceedings.

(3) Provision shall be made by rules of court for requiring the court to consider at an early stage of the proceedings whether the power to stay an action under subsection (2) of this section should or should not be exercised; and rules under the County Courts Act, 1959, may confer on the registrar any jurisdiction of the court under that subsection.

7 & 8 Eliz.2, c. 22.

## APPENDIX "C"

### THOSE WHO RESPONDED TO OUR REQUEST FOR OPINIONS

E.H.S. Piper, Q.C.
Insurance Bureau of Canada

J.C. Brown
Barrister

George H. Lockwood
Barrister

Shanti Kapoor
The Manitoba PubliInsurance Corporation

Prof. Hywel Moseley
University College of Wales

W.J. Johnston, Q.C.
The Crimes Compensation Board

Sun Alliance & London Insurance Group
London, England

A.A. Wishart, Q.C.
Criminal Injuries Compensation Board
(of Ontario)

I.F.M. Hine
Solicitor
Falmouth, England

NFU Mutual Insurance Society Limited
Stratford-upon-Avon, England

Norwich Union Fire Insurance Society Limited
Norwich, England

His Honour Judge Bruce Griffiths, Q.C.
Cardiff, Wales

British Insurance Association
London, England

Co-operative Insurance Society Limited
Manchester, England

Manitoba Subsection of the Insurance Law Section
Canadian Bar Association

Hon. Dalton Bales, Q.C.
Attorney-General of Ontario

Hon. Howard Pawley
Minister of Municipal Affairs
and Chairman of the Manitoba
Public Insurance Corporation